

RESOLUTION

A RESOLUTION SETTING A PUBLIC HEARING ON THE VACATION OF A PORTION OF A STORM SEWER & SURFACE WATER FLOWAGE EASEMENT LOCATED ON OUTLOT Y IN CASCADE FALLS PLAT 1.

WHEREAS, the staff of the City of Ankeny has recommended that the City vacate a portion of a Storm Sewer & Surface Water Flowage Easement recorded in Book 13050 Pages 868-890 of the records of the Polk County Recorder said easement being legally described as follows:

COMMENCING AT THE NORTHWEST CORNER OF OUTLOT Y, CASCADE FALLS PLAT 1, AN OFFICIAL PLAT, LOCATED IN THE CITY OF ANKENY, POLK COUNTY, IOWA; THENCE NORTH 89 DEGREES 53 MINUTES 25 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT Y, A DISTANCE OF 50.00 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE OF OUTLOT Y, NORTH 89 DEGREES 53 MINUTES 25 SECONDS EAST, A DISTANCE OF 59.80 FEET; THENCE SOUTH 26 DEGREES 57 MINUTES 18 SECONDS WEST, A DISTANCE OF 65.75 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 270.00 FEET; THENCE SOUTH 19 DEGREES 04 MINUTES 11 SECONDS WEST, TO THE SOUTH LINE OF SAID OUTLOT Y, A DISTANCE OF 61.37 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG SAID SOUTH LINE OF OUTLOT Y, A DISTANCE OF 9.95 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 386.49 FEET, TO THE POINT OF BEGINNING. CONTAINING 0.27 ACRES MORE OR LESS.

WHEREAS, the City staff have reviewed and approved of the said easement vacation; and

WHEREAS, the Code of Iowa provides that easements may be vacated only after notice and hearing as provided by law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ankeny, Iowa, that a public hearing before this Council on the proposal set forth in the preamble to this Resolution is set for 5:30 PM, on the 20th day of September, 2010. The City Clerk is directed to publish Notice of said hearing at the time and in the manner required by law.

Dated at Ankeny, Iowa this 7th day of September, 2010.

Steven D. Van Oort, Mayor

ATTEST:

Pamela DeMouth, City Clerk